



Nevada State Health Division Technical Bulletin



Topic: Assembly Bill 533

Section/Program/Contact: Bureau of Health Care Quality and Compliance/Patricia Chambers

Date: August 2011

TO: Health Care Providers and Public


The purpose of this bulletin is to notify all health care providers and the public of recently adopted statutes affecting certain licensed health care providers. On May 29, 2011, Governor Brian Sandoval signed into law Assembly Bill 533 (AB 533). AB 533 prohibits owners or administrators of medical facilities, facilities for the dependent or homes for individual residential care from receiving money or property from a will or the proceeds from a life insurance policy from a current or former resident or patient. This law does not apply if the owner or administrator is the spouse, legal guardian or next of kin of a resident or patient.

Under existing law, a resident or patient may not name a health care provider, an employee of a health care provider or an operator or employee of a health care facility as his or her agent in a power of attorney for health care unless the operator or employee is the resident or patient's spouse. AB 533 now broadens the prohibition against becoming a resident's or patient's agent to owners, operators and employees of hospitals, assisted living facilities and skilled nursing facilities. This statute does not apply if the owner or administrator is the spouse, legal guardian or next of kin of the resident or former resident or if the owner, operator or employee is assisting the resident to establish Medicaid eligibility. If the power attorney is used for any purposes other than establishing eligibility for Medicaid, the owner, operator or employee will be guilty of a class C felony.


This law becomes effective July 1, 2011 and there will be no new regulations as a result of the law.

For more detailed information, please go to

http://leg.state.nv.us/Session/76th2011/Bills/AB/AB533_EN.pdf

Signed: 
Tracey Green, MD, State Health Officer
Nevada State Health Division

Date: August 1, 2011

Signed: 
Richard Whitley, MS, Administrator
Nevada State Health Division

Date: August 1, 2011